

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DEVONTE B. HARRIS,

Plaintiff,

v.

E. MUNOZ, J. CERDA, E. SILVA, J.
PEDERSON, K. MATTA, M. MEDINA,

Defendants.

Case No. 1:21-cv-01372-JLT-HBK (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS DENYING
PLAINTIFF'S MOTIONS FOR A
TEMPORARY RESTRAINING ORDER AND
PRELIMINARY INJUNCTION

(Docs. 15, 16 and 22)

Devonte B. Harris again requests the entry of temporary restraining order (Doc. 15) and preliminary injunction (Doc. 16), seeking to enjoin the defendants from either removing his current long-term restricted housing status, or from transferring him away from California State Prison Corcoran to any other correctional facility. On April 13, 2022, the magistrate judge determined the motions were substantively defective and Plaintiff failed to show "he is likely to suffer irreparable harm to warrant the extraordinary exercise of immediate injunctive relief to enjoin Plaintiff's transfer." (Doc. 22 at 6-7.) Therefore, the magistrate judge recommended the motions be denied. (*Id.* at 8.)

The Findings and Recommendations informed Plaintiff that any objections to the Findings and Recommendations were due in fourteen days. (Doc. 22 at 1, 8.) Plaintiff was also advised "failure to file objections within the specified time may result in the waiver of rights on appeal." (*Id.* at 8, citing *Wilkerson v. Wheeler*, 772 F.3d 834, 838-39 (9th Cir. 2014); *Baxter v. Sullivan*,

923 F.2d 1391, 1394 (9th Cir. 1991).) To date, Plaintiff has not filed any objections and the time to do so has expired.

According to 28 U.S.C. § 636(b)(1)(C), the Court conducted a *de novo* review of this case. Having carefully reviewed the entire matter, the Court concludes the Findings and Recommendations are supported by the record and by proper analysis. Thus, the Court

ORDERS:

1. The Findings and Recommendations issued on April 13, 2022 (Doc. 22) are adopted in full.
2. Plaintiff's motion for a temporary restraining order (Doc. 15) is **DENIED**.
3. Plaintiff's motion for a preliminary injunction (Doc. 16) is **DENIED**.

IT IS SO ORDERED.

Dated: **May 6, 2022**


UNITED STATES DISTRICT JUDGE